



John H. Gross
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Reply to Hauppauge Office

-via hand delivery for placement into the record-

June 27, 2022

Mayor Robert T. Kennedy and
Members of the Board of Trustees
Incorporated Village of Freeport
46 North Ocean Avenue
Freeport, New York 11520



Re: June 27, 2022 Public Hearing to Consider re-zoning Application for Section 55, Block H, Lot 372 from Residence AA District to Industrial B District; Section 55, Block 190, Lot 63 from Business AA District to Industrial B District; and Section 55, Block 190, Lots 51-55 from Manufacturing District to Industrial B District

Dear Mayor Kennedy and Members of the Board of Trustees:

This Firm serves as counsel to the Freeport Union Free School District (the "School District"). This letter is sent on behalf of the School District in connection with the above-referenced matter.

At the outset, the School District objects to the Notice of Public Hearing issued by the Village of Freeport (the "Village"). This Public Hearing was not properly noticed. The Village issued a Notice of Public Hearing dated June 20, 2022 stating that a public hearing is scheduled for June 27, 2022 in order to consider the re-zoning application for the above-mentioned parcels (the "Rezoning Application"). Pursuant to New York State Village Law §7-706, the board of trustees shall not enact any amendments, regulations, restrictions, or boundaries until after a public hearing in relation thereto. The statute further requires "at least ten days' notice of the time and place of such hearing" to be published in a paper of general circulation in such Village. N.Y. Village Law § 7-706 (McKinney). Notice was not published to the Freeport Herald, the Village's designated newspaper for legal notices, until June 23, 2022, four days prior to the June 27, 2022 hearing. Accordingly, if the Village decides to hold the Public Hearing today, June 27,

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2022, despite the notice deficiency, any action taken at the hearing will be considered null and void.¹

As the Village is likely aware, this is not the first instance of the Village's improper actions regarding the subject Rezoning Application. Specifically, Judge Felice Muraca, a Nassau County Supreme Court Justice, recently invalidated the Village's April 18, 2022 public hearing and the Village's Special Meeting. Judge Muraca held that the Village's violations of the Open Meetings Law were "not a 'result of an unintentional failure' and in fact, were willful in nature." Attached for your reference is Judge Muraca's June 17, 2022 decision.

Notwithstanding the clear order issued by Judge Muraca, i.e. that the Village is "...enjoined from proceeding with the Application to rezone Subject Property until such time as they comply with the mandates of the Open Meetings Law and all other applicable statutory provisions", the Village is once again in violation of the Open Meetings Law and statute.

Judge Muraca specifically cited to the Village's failure to provide the Rezoning Application documents prior to the April 18, 2022 public hearing as a violation of the Open Meetings Law. The Village has once again failed to make the Rezoning Application documents available to the public prior to today's public hearing. Open Meetings Law 103(e) requires records subject to discussion by a public body during an Open Meeting shall be made available at least twenty-four (24) hours before the meeting. The statute further mandates that such records be uploaded to the public body's website at least twenty-four (24) hours before the meeting if such public body maintains a regularly updated website and utilizes a high-speed internet connection. The Village of Freeport maintains such a website, and the Village uses a high-speed internet connection. As of 7:15 PM on Sunday, June 26, 2022, twenty-four (24) hours prior to the Monday, June 27, 2022, meeting, the documents to be discussed regarding the abovementioned property were not uploaded to the Village's website (<https://www.freeportny.gov/>). In fact, even as of one hour before the 7:15 p.m. meeting, the documents were still not posted on the

¹ See, *Avelli v Town of Babylon*, 54 Misc 2d 662 (Sup Ct 1967)(The Court held seven days' notice failed to meet the ten days' notice requirement); see also, *Inc. Vil. of Is. Park v J.E.B. Assoc., Inc.*, 21 Misc 2d 249 (Sup Ct 1959)(action of the Village was declared "null and void" when the Village failed to meet the requirements for publishing the notice of a public hearing).

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Village's website. The Village has the means and ability to upload the documents to the regularly updated website but continues to fail to do so. The Village's continuous refusal to comply with the requirements of the Open Meetings Law demonstrates a complete disregard for the public's right to transparency and access to records. Because the April 18, 2022 public hearing was declared null and void by the Court, today's public hearing is the first public hearing which has been improperly noticed under statute as set forth above, and once again fails to meet the requirements of the Open Meetings Law.

Additionally, the School District further objects to the Village's actions because the Village may not vote on the Rezoning Application until the conditions set by the Nassau County Planning Commission ("Planning Commission") have been met. The Planning Commission met on March 31, 2022, to consider the Village's Rezoning Application and thereafter voted to approve the Rezoning Application for local determination "**subject to the park alienation legislation and subject to the dismissal of the pending school district litigation.**" As of today, June 27, 2022, the subject property has not been alienated and the litigation, Incorporated Village of Freeport v. Freeport Union Free School District, Index No. 612536/2021, is still currently pending before the Honorable Felice J. Muraca in Nassau County Supreme Court. As it relates to the alienation of the subject property, the home rule requests submitted to the State Legislature by the Village are improper in that both home rule requests were submitted after improperly noticed special meetings of the Board of Trustees.

Finally, the rezoning of parkland is designated as a Type I action which is more likely to require an Environmental Impact Statement pursuant to New York State Environmental Quality Review Act ("SEQRA"). Despite this fact, the Village's Superintendent of Buildings rendered a Negative Declaration Recommendation to the Board of Trustees with a purported finding that the proposed rezoning will not have a significant effect on the environment and therefore does not require the preparation of an Environmental Impact Statement. This determination improperly eliminates the opportunity for a meaningful and necessary environmental review under SEQRA. Further, Type I actions require coordinated review by all involved agencies including the School District. As early as March 15, 2022, the Village has been involved in the SEQRA process without coordination with the School District.

Notwithstanding the above deficiencies and the Village's failure to comply with its statutory obligations, the School District continues to oppose the re-zoning of the Subject

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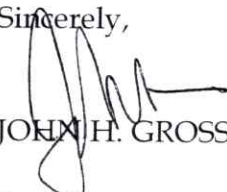
Property. As we have stated previously, the School District maintains its longstanding legal right of access and continued use of the Cleveland Avenue Field, which has served as athletic and playground facilities for generations of students. The dispute over this matter is before the New York State court system and will be resolved there. No action taken by the Village will change this fact, including the Village's attempt to change the zoning of the Cleveland Avenue Fields. The Village's efforts to extinguish the School District's interest in the property are further attempts by the Mayor and Board of Trustees to deny the District and its students use of the Cleveland Avenue Field.

The Village continues to behave as if the School District's 70-year-old legal right to use the field does not exist. Every Freeport Village Mayor, Board Trustee and Village Administration has staunchly supported and protected the School District's legal right to use the Cleveland Avenue for student athletic purposes for the last three quarters of a century, until today.

The School District strenuously opposes the Village's efforts to rezone this property to the detriment of our school, our students and the school community. We reiterate that the School District's only motivation regarding Cleveland Avenue Field has been to ensure the protection of the health and safety of our students and school community and to further protect our longstanding property and legal interests.

This letter is sent with a full reservation of the District's rights in equity and at law. Further, the District reserves the right to submit additional documentation in support of its opposition of this Rezoning Application at the time that the properly noticed public hearing is held and/or to modify any statement made herein or on the record based upon additional information that is made available.

Sincerely,



JOHN H. GROSS

Enclosures

cc: via hand delivery to:
Howard E. Colton, Village Attorney
Christian Browne, McLaughlin & Stern, LLP

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU**

P R E S E N T:

HON. FELICE J. MURACA, A.J.S.C.

TRIAL/IAS PART 44

FREEPORT UNION FREE SCHOOL DISTRICT,

Petitioner,

DECISION AND ORDER

Index No. 606401/2022

Motion Seq.#: C-001

XXX

-against-

**INCORPORATED VILLAGE OF FREEPORT,
THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF FREEPORT,
and ROBERT T. KENNEDY, in his Official
Capacity as Mayor of Incorporated Village
of Freeport,**

Respondents.

The Court has reviewed e-filed documents numbered 1-27, 32, and 40-42 on this Petition.

Upon the foregoing papers, Petitioner moves by Order to Show Cause requesting an order: (a) enjoining Respondents from re-zoning Subject Property; (b) enjoining Respondents from alienating Subject Property; (c) declaring Respondents' acts and omissions of re-zoning efforts arbitrary and capricious; (d) declaring the SEQRA determination arbitrary and capricious and null and void; (e) re-open the public hearing for the re-zoning of Subject Property; (f) enjoining Respondent, Village of Freeport from placing matters related to Subject Property without prior written notice to Petitioner; (g) requiring Respondents, Village Board of Trustees, and Mayor Robert T. Kennedy, to participate in training pursuant to POL §107; (h) directing Respondents to post all meeting minutes in compliance with POL §106; (i) awarding the Petitioner costs and attorneys fees.

In addition to the filed documents, an oral argument was held on June 2, 2022. The Court denied the continuation of a Temporary Restraining Order on that date. The two remaining issues before this Court are whether the Respondents have violated the Open Meetings Law (“OML”) and whether the Petitioners have established good cause for this Court to declare the Respondents’ actions null and void. The OML is codified in Public Officers Law Ch. 47, Art. 7, Sections 100-111. The Court’s decision is as follows:

Respondents are seeking to have Section 55, Block H, Lot 372 (“Subject Property”) re-zoned from Residence AA District to Industrial B District. In order to do so, Respondents must first alienate Subject Property. In commencing the process, Respondents filed a re-zoning application (“Application”) with the Nassau County Planning Commission (“Commission”) on March 17th, 2022. On March 22nd, 2022, a notice was sent out for a public hearing on April 18, 2022 (“Meeting 1”), and on the agenda of this *regular meeting* was “the re-zoning of [Subject Property].” Petitioner acknowledges receiving notice for Meeting 1. On March 29, 2022, Respondents supplemented the Application by sending additional documents to the Commission. On March 31, 2022, the Commission approved the Application.

Prior to the convening of Meeting 1, Petitioner requested the Application from Respondents and their affiliates on at least five different occasions. Respondents failed to provide the Application to the public or to Petitioner prior to Meeting 1. As a result, the public and Petitioner were unable to reference the Application or any documents related to rezoning at or prior to Meeting 1. After Meeting 1 was conducted, Petitioner made at least four more unsuccessful attempts to receive a copy of the Application.

Petitioner’s counsel finally received the Application on April 29, 2022. Another *regular meeting* was held on May 2, 2022, however, the rezoning of Subject Property was not on the agenda. Respondent alleges that after the *regular meeting* was held, he received an email from the Legislative Director, Senator John Brooks, requiring a “special meeting” to be held immediately. The “special meeting” was scheduled for the next day, on May 3, 2022 (“Meeting 2”), during normal business hours. As a result of Meeting 2, Respondents

took action and sent a "Home Rule Request" to the New York State Legislature for a bill to go forward regarding the alienation of Subject Property.

It should be noted that the parties are involved in a related legal dispute, under Index No. 612536/2021, *Inc. Village of Freeport v. Freeport Union Free School District*, wherein Respondent, Incorporated Village of Freeport, in the instant action, commenced the lawsuit against Petitioner, seeking a judgment from this Court declaring that Respondents hold title to the Subject Property unencumbered by any interest in favor of Petitioner. Subject Property is an athletic field where Petitioner alleges they have held an easement since 1970. Since 1970, Petitioner and the citizens of the Village of Freeport have benefitted from the easement and are currently still using Subject Property for both athletic and educational purposes as part of the Freeport Union Free School District. The Petitioner alleges that the rezoning of Subject Property will terminate their easement. Respondents seek to have a declaratory judgment ordering that Petitioner has no interest in Subject Property, which will allow Respondents to continue the ongoing negotiations to sell the property to a potential buyer. Petitioner claims the perspective buyer of Subject Property is Amazon.

Meeting 1: Failure to Turn Over Application

Petitioner alleges that Respondents' failure to provide the Application prior to Meeting 1 is a violation of the OML and the Court should null and void any actions taken. Respondents adamantly oppose the Petition, claiming the Application was not required to be turned over. Secondly, the Respondents claim that no action was taken, and therefore, Petitioner's claim is premature *until after* the Legislature signs the bill.

Respondents' claims are in direct conflict with the legislative intent of the OML statute. Since its inception, in 1979, the OML "gives the public the right to attend meetings of public bodies, listen to the debates and watch the decision-making process in action. It requires public bodies to provide notice of the times and places of meetings, and keep minutes of all actions taken." (Your Right to Know, NYS Open Government Laws, Committee on Open Government NYS Department of State, www.dos.ny.gov/coog [April

2014]). "If records that are scheduled to be discussed during an open meeting are available under FOIL or consist of a proposed resolution, law, rule, regulation, policy or any amendment thereto, the record is required to be made available "to the extent practicable" online and in response to a request to inspect or copy prior to or during the meeting." (*id.* at page 15).

On November 18, 2021, legislation signed by New York State Governor Kathy Hochul went into effect, amending the OML, POL Section 103(e), to require that documents that are going to be discussed at a public meeting be made available upon request or posted on the local government's website *at least 24 hours prior* to the meeting. The law prior to November 18, 2021, required that "to the extent practicable as determined by the agency, such *records be available at, or prior to, the meeting.*" Prior to the amendment of §103(e), the Fourth Department held that respondents providing documents seven (7) hours *prior* to the meeting was deemed sufficient and practicable. (*See Clover/Allen's Cr. Neighborhood Assn. LLC v M&F, LLC*, 173 AD3d 1828, 1832 [4th Dept 2019]). The legislature's amendment of the statute to include a twenty-four (24) hour disclosure requirement is indicative of the legislatures' intent to require a strict time period for providing documents *prior* to a public meeting.

Here, the Respondents adamantly claim they had no obligation to provide the Application to Petitioner prior to Meeting 1. Respondents have not provided any legal basis or explanation for their belief which fails to comport with POL §103(e). Petitioner's attorney made the first request for the Application on March 25, 2022, by submitting a Freedom of Information Law ("FOIL") request. On April 1, 2022, the Respondents answered Petitioner's FOIL request by stating they needed an additional twenty days to furnish the Application. On April 11, 2022, Petitioner's attorney called the Village's Clerk's Office for an update on the FOIL request, and the representative stated the Application had "not been made available to the Village." The Petitioner's attorney called the Village again on April 12, 2022, and was unsuccessful in retrieving the Application.

On the evening of April 15, 2022, the Respondents posted the agenda for Meeting 1 but the Application was still not posted or provided.

During Meeting 1, the Application was entered into the record but had not yet been provided to Petitioner or the public in compliance with POL §103(e). On April 19, 2022, Petitioner's attorney went to the Respondents' office in yet another unsuccessful attempt to obtain the Application. That same day, Petitioner's attorney submitted a written request to Respondent, the Village of Freeport, for the Application and also contacted the court reporter to obtain a copy of the transcript from Meeting 1. On April 21, 2022, the Respondents' attorney informed Petitioner's attorney that Respondent, the Village of Freeport would provide access to the Application "when [the documents were] ready." By this time, the Respondents had a complete Application that was already approved by the Commission, and were capable of providing same to Petitioner. Respondents failed to provide Petitioner with the Application despite the fact that notably, this was the twentieth day from Respondents' answer to Petitioner's FOIL request on April 1, 2022, wherein they indicated the Application would be furnished in twenty days. On April 25, 2022, Petitioner's attorney was told by the court reporting service that the Meeting 1 transcript was ready and had been provided to the Village but that the Village had given instructions to the court reporter to not provide a copy of the transcript to Petitioner's attorney. On April 26, 2022, Petitioner's attorney submitted a final written request for the Application and Meeting 1 transcript.¹

Respondents had ample opportunities to comply with Petitioner's multiple requests prior to Meeting 1. The Court finds that it was practicable for the Respondents to turnover the Application prior to Meeting 1 and Respondents have not provided *any* excuse for their failure to do so. Respondents' belief that the Application was not required to be provided is in contradiction to the OML and against public policy. This Court finds that the

¹ Respondents' claim that the minutes were not ready. Based on the information in the record, Respondents also failed to upload Meeting 1's minutes within the appropriate time frame pursuant to POL § 106, despite having the ability to do as it appears the minutes were available seven (7) days after the meeting.

Application was required to be provided to Petitioner in order for Respondents to comply with the statute. Therefore, the Court finds that the Respondents violated POL § 103(e).

Meeting 2: Improper Notice

Petitioner alleges that Respondents' failed to comply with the notice requirement pursuant to POL §104 for Meeting 2, and as such is a violation of the OML and the Court should null and void any actions taken. Respondents claim they complied with the notice requirements of POL §104.2 in order to conduct this "special meeting" immediately, at the NYS Legislature's request. There were also two other meetings Respondents' classify as "special," but there is no allegation made by Petitioner as to Respondents violating the OML with respect to those other two meetings.

It should be noted, that there is no statutory definition of "special meeting" in the OML. There are only open meetings and closed executive sessions. (POL §103). In order to comply with the notice requirement of an open meeting, you must comply with POL §104. POL§104(1) applies to "a meeting scheduled *at least one week prior*," while POL §104(2) applies to "*every other meeting*." Neither party has alleged that Meeting 2 was closed as an executive session.

In order for the Court to find that the notice requirement of Meeting 2 was proper, the Respondents must have complied with POL §104(2), which requires "public notice of time and place . . . shall be given or electronically transmitted, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto."

Here, Respondents' papers are devoid of any factual claims that actual notice was given prior to Meeting 2. Respondents argue that the notice requirement doesn't apply because there is no specific time period for notice of a "special meeting." During oral argument before this Court, Respondents stated that the standard is to "do your best." (Transcript p. 19, Line 15). Respondents also claimed that "we made sure the buildings were posted and we sent out via electronic means an actual notice." (Transcript p. 22, Lines

18-19). Respondents also stated “we posted it on our building and we sent it to the meeting.” (Transcript p. 23, Line 12). Respondents concede that no notice was provided directly to Petitioner, despite the fact that the parties had already commenced litigation with respect to Subject Property. According to the Petitioner, the news media produced the notice on May 5, 2022, two days *after* Meeting 2 was held.

No specific evidence or affidavits were provided by Respondents establishing the contents of the alleged notice for Meeting 2, and Respondents failed to submit any affidavits establishing who sent and posted the notice. Respondents did not specify the exact building location where the notices were posted, or when they were posted, nor have they provided a copy of the notice to the Court. The Respondents do not state what electronic means were used to send the notice to the media or public. The Respondents’ claims are merely conclusory that they have complied with the notice requirement of POL §104(2). Petitioner’s attorney affirms that he continued to access Respondents’ website and that he never saw the notice of Meeting 2 posted, as required by POL §104(6). Respondents make zero claims that this information was accessible on their website. No evidence has been provided to convince the Court that Respondents attempted to comply with the standard to provide notice at a *reasonable time prior thereto* for Meeting 2.

Therefore, the Court finds that Respondents violated the notice requirements of POL §§ 104(2) and 104(6). Additionally, it should be noted that Petitioners are unable to make any arguments in terms of whether any *other* documents should have been provided *prior* to Meeting 2 to comply with POL § 103(e). Since Meeting 2 was held without notice, Petitioner cannot articulate the agenda or what documents *may* have been requested or necessary to participate in Meeting 2.²

² Petitioner has not made any claims in terms of whether Meeting 2’s minutes have been uploaded in compliance with POL § 106.

After Meeting 2 was held, Respondents sent a Municipal Home Rule Request to the Legislature for a bill regarding the alienation of Subject Property. Petitioner alleges that the alienation bill cannot be passed until the Municipal Home Rule Request is received.

Petitioner has established good cause that Respondents violated the OML regarding Meeting 1 and Meeting 2. Respondents' failure to provide the documents and comply with the requirements of the OML are a result of more than mere negligence. (*Cunney v Bd. of Trustees of Vil. of Grand View*, 72 AD3d 960, 962 [2d Dept 2010]). Respondents' belief that the documents were not required to be provided is wholly inaccurate and against public policy. "Respondents are not unsophisticated. They acknowledge their obligations pursuant to the Open Meetings Law." (*New York State Nurses Ass'n v State Univ. of New York*, 39 Misc 3d 588, 592 [Sup Ct 2013]). Respondents' failure to produce the notice in accordance with the OML appears to be "intentionally vague as to shield the public from the true purpose of the [meeting]. . . and failed to meet the standard for transparency required by the Open Meetings Law." (*id.* at 595-596). This Court finds, that Respondents' notice requires more than a "do your best" standard, and therefore, Respondents failed to comply with the OML notice requirement.

The Respondents have failed to offer any plausible reason why they were unable to comply with the Petitioner's numerous demands for the Application. Nor do the Respondents deny that the court reporting service for Meeting 1 was instructed to withhold the minutes from being turned over to Petitioner. The Court hereby finds that Respondents' violations were not a "result of an unintentional failure" (POL §107) and in fact, were willful in nature.

Accordingly, it is hereby

ORDERED AND ADJUDGED, that the Petition is granted to the extent that the action of the Respondents is annulled and Respondents are enjoined from proceeding with the Application to rezone Subject Property until such time as they comply with the mandates of the Open Meetings Law and all other applicable statutory provisions.

Any relief requested not specifically addressed herein is denied.

This constitutes the Decision and Order of the court.

Dated: June 17, 2022
Mineola, NY



HON. FELICE J. MURACA, A.J.S.C.

ENTERED

Jun 21 2022

NASSAU COUNTY
COUNTY CLERK'S OFFICE

Mail body: Ed's letter

June 27, 2022

Attn: Freeport School Board

Re: Cleveland St Property/Cow Meadow Park Board Meeting Monday June 27, 2022, 7pm

Sub: My Support for the Sale of the Cleveland Street Property

(1)

APPLICANT'S			
Exhibit No.	u		
ID	6/27/22	EVD	BM

Dear School Board Members:

My name is Edward Brennan and I reside in Freeport, in close proximity to Cow Meadow Park. I am unable to attend tonight due to a previous ~~vacation~~ ^{away} planned ~~for this week~~ but I have asked my sister, Peggy Moran to speak in my place. I wanted to speak about why I support the sale of the Cleveland Street property. As a kid I grew up in ~~Bellerose~~, Queens and attended St. Gregory's Catholic School. The baseball field we played on was all weeds, rocks, divets...an unmaintained field due to the school's lack of funding and ability to maintain it. As a kid, the scariest moments ~~was~~ ^{were} when a ground ball was hit to you. You weren't sure where it was going to go, whether hitting you in the chest, face, etc., sometimes it actually made it into the glove! Or if you were going to run ^{you might} and turn your ankle after stepping into a hole in the dirt ground. There was no such thing as a well-maintained field for us kids to play on back in the early 70's into the 80's, we were ^{HAPPY} ~~thrilled~~ to just have a run-down field. We would dream about a well-maintained field like Yankee or Shea stadium with lights and a scoreboard. But instead, due to no funding, "day games only" on a mostly all dirt and rocky field is how we played. When I went to high school at Thomas Edison in Jamaica Queens, I was unable to join the baseball team due to muggings that were going on after school if you walked "down the hill" alone going to take the ~~NYCT~~ bus home. The lack of security and policing robbed me of my chances to play high ^{school} and maybe college baseball, ^{and} who knows, maybe professional baseball. The Guardian Angels were patrolling ^{our} neighborhoods back then, but as a young teenager, there was no way I was walking down that hill to catch the bus home without a large group of people with me. It's a shame

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how things were back then. I went to work for the MTA at age eighteen and retired in 2018 as Chief Electrical Officer after 37 years. I saw the same poor conditions on playing fields in every neighborhood I worked in such as Brooklyn, the Bronx, Manhattan, and Queens while at the MTA. But over time things began to change, focus was on after school activities and sports for children and improved funding to support those activities. Where they play, and the conditions that they play under, have improved tremendously. Parents may also be more motivated to have their children join more team sports, and furthermore, take more time to watch and support their children at sporting events, nurturing parent-child and other special relationships, and family time needed more than ever in family today.

Thus, why I am supporting the sale of the Cleveland Street property where in its place the Village of Freeport is committed to building a state-of-the-art Sports and Park area at Cow Meadow Park, for the children and families of the neighborhood.

Some of the benefits I have researched on the sale.

- The Village of Freeport has now taken ownership of Cow Meadow Park which I had personally pursued for years through letters and e-mails to Nassau County Executive Laura Curran, due to Nassau County leaving the park in a virtually run-down condition.
- The Village of Freeport has agreed to invest approximately \$5 million for Cow Meadow Park upgrades at no cost to homeowners and businesses in Freeport giving us a beautiful state of the art waterfront park and recreation spot, thus allowing the relocation of Cleveland Street sports fields to Cow Meadow Park.
- Kids playing in safe, state-of-the-art fields with lights, scoreboards, AstroTurf surfaces, locker rooms, rest room facilities, well-maintained fields and basketball courts. Seeing this through the

eyes of a child, allowing them to dream of playing high school, college, and for some, even professional sports. Allowing them the chance to build confidence and skill, be team players, which is an experience they'll carry throughout their lives, have more pride in our town, achieve success, strive to gain sports scholarships, and simply to have fun and be their personal best.

- There is plenty of parking at the Cow Meadow Park to support school sporting events.
- Freeport schools will have the first rights to use the fields which is another bonus for the children no longer fighting for time slots on when they can play.
- The sale and use of the property for the new Amazon warehouse on the Cleveland Street property would provide an estimated annual tax revenue of around \$700,000.
- The new Amazon facility would also provide an estimated 300+ jobs for the area which is sorely needed.
- Sale of the property would generate \$49 million for the Village of Freeport which could be used to lower property taxes and increase services to the community.
- The Village of Freeport through the sale would provide a 20% tax reduction for all Freeport residents and businesses, 5% over four years.
- \$1 million would be dedicated to the Fire and Police Departments. The Freeport Police are top notch, very responsive, and have provided a safer Freeport. The Fire Department also serving as life savers and emergency responders would benefit from the additional funding.

- There is no other way to say this, this would be a win-win win for students, residents, and businesses.

Sincerely,
Edward Brennan
98 E. Bedell Street
Freeport NY

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*Best Regards,
Margaret (Peggy) Moran
Licensed Real Estate Associate Broker
Property Manager
"Manhattan to Montauk"*

*Charles Rutenberg Realty
"The Standard of Excellence"
Call/Text: 631-487-0153
Office: 516-575-7500
pmoranhomes@gmail.com*

Monday nights speech

Good evening Mayor Kennedy, members of the Freeport School Board, Trustees, ^{mr} Dr Kuncham, parents and concerned ^{gross} citizens. My name is Ivan sayles. 26 years ago I staked my claim in Freeport and bought the Texas ranger on the nautical mile. Since 1996 I've built my business into an icon on the mile and with each passing year I've gotten blessed with more success. As I got more successful, I gave back more and more to the wonderful community that supported me. In 26 years we have never turned down a charitable organization looking for help. 20 years ago I joined the Freeport Chamber of Commerce and the Nautical Mile Merchants association both of which I've had the honor of serving as President. I'm also a proud member of the board of directors of the Woodward Children's School located



right here in our village of Freeport. I say these things not to brag about my accomplishments but to give an understanding of why I do it. An understanding that I have every confidence you share with me.

mr Gros

Mayor Kennedy, Dr Kuncham, Trustees members of the Freeport School Board, I don't need to tell you the level of commitment, and the time it takes to be successful and do a good job on these boards and committees, but that's irrelevant. What's relevant is why we do it? The answer is simple BECAUSE WE CARE. We care enough about our community, about our children's well-being, safety and happiness to devote hours of our time to it.

might + should be home with my family
you all should be home w/ your family
But were here B/C we care, we care about our
kids. the only constant thing in life is
change look around think about what our community
has changed in the past 10-15 years

think about the Charles Ave Field in
10 - 15 years if it doesn't change

For me serving my community is about one thing only. Leaving the world a better place for my children than my parents left it for me. Pay it forward if you will.

In my 26 years in the village I have never seen a more experienced, dedicated, caring and forward thinking administration than the one we have before us. When Superstorm Sandy struck devastating the south shore of Long Island it was this administration that took care of its citizens and led us through the process of getting our lives back together. It was this administration that led us through COVID and did its part in protecting its citizens and getting our lives back to normal and it is this administration that is planning for our future for the betterment of all citizens.

After I had 1st heard of the plans to move the Cleavland Ave. field I ran into Dr. Kuncham, at a charity event and asked him face to face, man to man why he opposed the new field? He said “ because he could not get a guarantee form Nassau County(who owned the field at the time) the new field would never be taken away from the school district. That was it, the only reason I was given by the superintendent of the Freeport school district.

Well – Problem Solved – To quote an old Wendys commercial Dr Kuncham

Where’s the beef?

In one hand You hold an old decrepit field in the other a brand new Astroturf field in a beautiful new park. Talk about leaving the world a better place for our kids ladies and gentlemen of the school board?

What's the Cleavland ave field going to look like 5-10 years? and how much will it cost the school district to maintain? Now I don't have a crystal ball but I'll bet dollars to donuts that a brand new lighted field with bleachers, bathrooms a concession stand and scoreboard will be in much better shape than the mudpit on Cleavland ave. Yes I drove by the Cleavland ave field on my way here this evening I saw

I ask athletics, coaches parents and spectators that use the Cleveland ave field

When the sun sets at 4pm how do you see the ball in the dark? Cow meadow has lights

When you have to use the relieve yourself do you do so in the woods? Cow meadow has restrooms

When you get hungry or thirsty do you get in the car and drive to seven/11 on merrick rd or the pit stop on sunrise? Maybe they'll let them use their bathrooms too. Cow meadow solves this issue

If you want to sit down to watch practice or a game do you bring a chair? What if it rained that day like it did today does your chair sink in the mud? Or do you sit on a wet blanket, Cow meadow has bleachers.

There a those that will tell you of all the financial benefits this deal will bring to the village and its citizens you don't need me to emphasize them. I'm her to emphasize why we do what we do why we are all here. FOR OUR KIDS lets focus on the goal here, the big win on the new field. Leaving our village a better place for those that come after us

This afternoon I decided to play student and look up the definition of a "NO Brainer"- Something that requires little or no mental effort.

Dr Kuncham ladies and gentlemen of the school board. Haven't we wasted enough mental effort, time and money fighting something that's only purpose is to benefit our children?

Did I mention that it's a NO COST TO THE SCHOOL DISTRICT

I have 1 question in regards
to Mr Gross's comment
on 10 Day Notice
How many Days did the
village give, Is that
the Best you can do ~~the~~ it seems
that the only legitimate reason you can
come up with is the to stop teaching
and thinking about
our kids